



Cygnus Docket No. 0240.02  
USSN 09/927,773  
PATENT

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention titled:

METHODS AND DEVICES FOR PREDICTION OF HYPOGLYCEMIC EVENTS

2. The specification of which (check one)

☐ is attached hereto

or

☒ was filed on August 10, 2001 as Application Serial No. 09/927,773  
and was amended on ☐ (if applicable).

3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

4. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

5. I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority claimed?

Number	Country	Day/Month/Year Filed	Yes/No
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NONE

6. I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>
60/226,431	18 August 2001	Yes

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ORIGINALLY FILED

7. I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application No.</u>	<u>Date of Filing</u> <u>(day/month/year)</u>	<u>Priority</u> <u>Claimed</u>	<u>Status</u>
NONE			

8. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or by imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the subject patent application or any patent issuing therefrom.

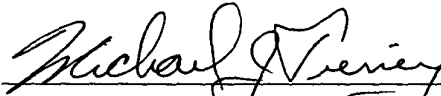
Signature:  Date: 10/25/01

Full Name of Inventor: Russell O. POTTS

Citizenship: US

Residence: San Francisco, California

Post Office Address: 76 Uranus Terrace, San Francisco, California 94114

Signature:  Date: 10/25/2001

Full Name of Inventor: Michael J. TIERNEY

Citizenship: US

Residence: San Jose, California

Post Office Address: 368 North Sixth Street, San Jose, CA 95112

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR §1.8 on the date indicated below and addressed to Box Missing Parts, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Barbara McBrayer

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Printed Name

*Barbara McBrayer* 10/25/01

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Signature Date of Deposit

Cygnus Docket 0240.02  
Serial No. 09/927,773  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Russell O. POTTS, et al.

Examiner:  
(not assigned)

Serial Number: 09/927,773

Group Art Unit:  
1645

Filed: August 10, 2001

For: METHODS AND DEVICES FOR PREDICTION OF  
HYPOGLYCEMIC EVENTS

Confirmation No. 6897

**POWER OF ATTORNEY**

Box Missing Parts  
Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

I, Barbara G. McClung, Senior Vice President, General Counsel of the assignee, Cygnus, Inc., hereby appoint Barbara G. McClung, Reg. No. 33,113, Roberta L. Robins, Reg. No. 33,208, Dahna Pasternak, Reg. No. 41,411, and Gary R. Fabian, Reg. No. 33,875 as our attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected herewith.

Please address all future communications to the following address:

CYGNUS, INC.  
Intellectual Property Department  
400 Penobscot Drive  
Redwood City, CA 94063  
Phone (650) 599-2527  
Facsimile (650) 599-3913

Respectfully submitted,  
CYGNUS, INC.

*Barbara G. McClung*  
Barbara G. McClung  
Senior Vice President, General Counsel  
Registration No. 33,113  
Phone: 415-599-2527

Date: OCT 25, 2001

Cygnus, Inc.  
400 Penobscot Drive  
Redwood City, CA 94063

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## ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Russell O. POTTS and Michael J. TIERNEY (hereinafter referred to as the assignors), residing at San Francisco, CA and San Jose, CA, respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in METHODS AND DEVICES FOR PREDICTION OF HYPOGLYCEMIC EVENTS set forth in an application for Letters Patent of the United States, bearing Serial No. 09/927,773 and filed on August 10, 2001; and

WHEREAS, CYGNUS, INC., a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 400 Penobscot Drive, Redwood City, California 94063 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, the said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.


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AND for the same consideration, the said assignors hereby covenant and agree to and with the said assignee, its successors, legal representatives and assigns, that the said assignors will, whenever counsel of the said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of the said assignee, its successors, legal representatives and assigns.

AND the said assignors also agree that the U.S. serial number may be entered above by the assignee or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

AND the said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date 10/25/01 Name of Inventor   
Russell O. POTTS

Date 10/25/01 Name of Inventor   
Michael J. TIERNEY

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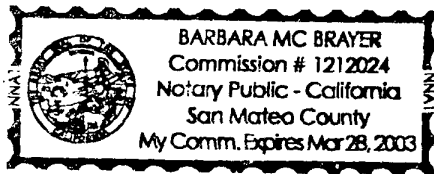
**ACKNOWLEDGMENT**

State of California


County of San Mateo

On October 25, 2001 before me, Barbara McBrayer, Notary Public,  
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Russell O. Potts and Michael J. Tierney, proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signature on the instrument the persons or the entities upon behalf of which the persons acted, executed the instrument.



WITNESS my hand and official seal.

  
Signature of Notary Public